Serial No.: 09/721,871 Inventor(s): Higgins et al. U.S. PTO Customer No. 25280

Case No.: 5113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Kenneth B. Higgins

Serial Number:

09/721,871

Filed:

November 24, 2000

For:

Cushioned Carpet, Carpet Tile and Method

Group Art Unit:

1771

Examiner:

Juska, Cheryl Ann

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

Sir:

Certificate of Mailing Under 37 CFR § 1.8

I hereby certify that this correspondence, and all correspondence referenced herein as being enclosed with this correspondence, is being sent by Express Mail as # EV 451231004 US to Commissior of Patents, P. O. Box 1450, Alexandria, VA 22313-1450 along with RCE Transmittal (in duplicate), Request for Extension of Time (in duplicate), and a post card receipt on July 23, 2004.

Date: July 23, 2004

Signature:

INFORMATION DISCLOSURE STATEMENT

In compliance with Applicant's duty under 37 CFR §1.56, Applicant hereby submits this Information Disclosure Statement filed according to the provisions of 37 CFR §1.97 and §1.98.

Enclosed herewith is Form PTO-1449 (Modified) which lists various references submitted by Applicant for consideration. Also, enclosed herewith are copies of each of the foreign references listed in the Form PTO-1449 (Modified). The Examiner is requested to review each of the references, indicate that the references were reviewed by initialing the Form PTO-1449 (Modified) for each reference, and returning a copy of the initialed Form PTO-1449 (Modified) to the Applicant.

This information disclosure statement is being submitted after three months of the filing date of the application and after the first Office action on the merits, but before the mailing of a final action, a notice of allowance, or an action that closes the prosecution in the application. As such, Applicant:

- Respectfully submits that the each item of information contained herein was first cited in a any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement and respectfully requests consideration of this Information Disclosure Statement under 37 CFR §1.97(c)(1) and (e)(1).
- X Respectfully requests consideration of this Information Disclosure Statement under 37 CFR §1.97(c)(2) and the Commissioner is hereby

07/27/2004 SZEWDIE1 00000002 040500 09721871

Serial No.: 09/721,871 U.S. PTO Customer No. 25280

Inventor(s): Higgins Case No.: 5113

authorized to withdraw the fee set forth in 37 CFR §1.17(p) from our Deposit Account 04-0500.

In the event that there are fees associated with the filing of these papers, the Commissioner is hereby authorized to withdraw such fees from our Deposit Account 04-0500

Respectfully Submitted,

Daniel R. Alexander Reg. No. 32,604

MILLIKEN & COMPANY 920 Milliken Road, M-495 Spartanburg, SC 29303 (864) 503-1372 23 mm 23 mm

Form PTO-1449 (Modified)

INFORMATION DISCLOSURE STATEMENT IN A PATENT APPLICATION

Serial No.: 09/721,871 Filing Date: 11/24/2000

Inventor(s): Kenneth B. Higgins et al.

Group Art Unit: 1771 Examiner: Juska, Cheryl Ann

US PTO Customer No: 25280 Case No.: 5113

Sheet <u>1</u> of <u>2</u>.

U.S. PATENT DOCUMENTS EXAMINER IDENTIFIER DOCUMENT DATE NAME CLASS SUB-**INITIALS** NUMBER **CLASS** AA 2003/0114062 06/16/03 Scott et al. 442 181 AB 3,852,387 12/03/74 Bortnick et al. 264 40 AC 4,037,013 07/19/77 Sprague 428 310 AD 4,396,566 08/02/83 Brinkmann et al. 264 70 ΑE 4,447,382 05/08/84 Spurlock et al. 264 123 AF 5,846,461 12/08/98 Collins et al. 264 45.3 Examiner: Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. include copy of this form with next communication to applicant.

JUL 23 2004 WES

Examiner:

Form PTO-1449 (Modified) Serial No.: 09/721,871 Filing Date: 11/24/2000 INFORMATION DISCLOSURE STATEMENT Inventor(s): Kenneth B. Higgins et al. IN A PATENT APPLICATION Group Art Unit: 1771 Examiner: Juska, Cheryl Ann Sheet _2_ of _2_. US PTO Customer No: 25280 Case No.: 5113 FOREIGN PATENT DOCUMENTS **TRANSLATION** DATE **IDENTIFIER CLASS EXAMINER DOCUMENT** COUNTRY SUB-INITIALS NUMBER NO YES **CLASS** AA 02/102582 12/27/02 WO

Date Considered:

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.